

### **Amendments to the Drawings**

The attached drawing sheet includes changes to the figure. This sheet replaces the original sheet labeled Fig. 1. In the replacement figure, the label “Fig. 1” is removed.

Attachment: Replacement Sheet

### **REMARKS/ARGUMENTS**

A new title is added, and informalities in various paragraphs of the specification are corrected. Also, a new Abstract is provided. In addition, the figure is amended to delete the label "Fig. 1", and the specification is correspondingly amended. These amendments address the objections to the specification and drawing.

Claims 1-22 are pending. Claims 1-8 and 17-19 are currently withdrawn.

Claims 9 and 20 are amended to clarify that the method of analysis and the computer program product are performed on a computer, and that 2-dimensional or 3-dimensional chemical data is analyzed. Also, claims 9 and 20 are amended to clarify that the results of the cluster analysis are outputted from the computer. Support for these amendments is found throughout the specification, for example, the paragraph at page 4, line 24, to page 5, line 4.

The amendments to claims 9 and 20 address the objections to claims 10-12 under 35 USC 112, second paragraph.

Claim 14 is canceled, thus the objection under 35 USC 112, second paragraph, to this claim is moot.

The rejection of claims 9-13, 15, 16, and 20-22 as directed to non-statutory subject matter is respectfully traversed. Each claim is directed to a method of analyzing chemical data on a computer, which is a practical application for identifying properties and activities of chemical compounds. Thus, the claims are not directed to an abstract idea, but are directed to methods that have a tangible, beneficial result. Accordingly, claims 9-13, 15, 16, and 20-22 are directed to proper statutory subject matter.

Also, the separate rejection of claims 20-22 as directed to non-statutory subject matter is respectfully traversed. A person skilled in the art would understand from the context of the specification that a computer program product is a computer readable medium, not just software. Indeed, the Interim Guidelines provided in the Office Action define "products" as machines, manufactures and compositions of matter, none of which apply to software by itself (see Section IV(A) of the Guidelines, fourth paragraph from the bottom of the section before Section IV(B)). Therefore, claims 20-22 are directed to proper statutory subject matter.

In view of the foregoing amendments and remarks, Applicants submit that the present application is in condition for allowance. A Notice of Allowance is therefore respectfully requested.

No fee is believed due. However, the Commissioner is hereby authorized during prosecution of this application, to charge any fees that may be required (except for patent issue fees required under 37 CFR §1.18) or to credit any overpayment of fees to Deposit Account No. 50-0337. If an extension of time is required in connection with this paper, please consider this a Petition therefor and charge any fees required to Deposit Account No. 50-0337.

Dated: October 31, 2006

Respectfully submitted,



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